

Effective 5/13/2014

36-12-9.5 Obstructing a legislative proceeding.

- (1) As used in this section, "legislative proceeding" means an investigation or audit conducted by:
- (a) the Legislature, or a house, committee, subcommittee, or task force of the Legislature; or
 - (b) an employee or independent contractor of an entity described in Subsection (1)(a), at or under the direction of an entity described in Subsection (1)(a).
- (2) Except as described in Subsection (3), a person is guilty of a class A misdemeanor if the person, with intent to hinder, delay, or prevent a legislative proceeding:
- (a) provides a person with a weapon;
 - (b) prevents a person, by force, intimidation, or deception, from performing any act that might aid the legislative proceeding;
 - (c) alters, destroys, conceals, or removes any item or other thing;
 - (d) makes, presents, or uses an item, document, or thing known by the person to be false;
 - (e) makes a false material statement, not under oath, to:
 - (i) the Legislature, or a house, committee, subcommittee, or task force of the Legislature; or
 - (ii) an employee or independent contractor of an entity described in Subsection (2)(e)(i);
 - (f) harbors or conceals a person;
 - (g) provides a person with transportation, disguise, or other means of avoiding discovery or service of process;
 - (h) warns any person of impending discovery or service of process;
 - (i) conceals an item, information, document, or thing that is not privileged after a legislative subpoena is issued for the item, information, document, or thing; or
 - (j) provides false information regarding a witness or a material aspect of the legislative proceeding.
- (3) Subsection (2) does not include:
- (a) false or inconsistent material statements, as described in Section 76-8-502;
 - (b) tampering with a witness or soliciting or receiving a bribe, as described in Section 76-8-508;
 - (c) retaliation against a witness, victim, or informant, as described in Section 76-8-508.3; or
 - (d) extortion or bribery to dismiss a criminal proceeding, as described in Section 76-8-509.

Enacted by Chapter 167, 2014 General Session